

STATE OF IOWA

CHESTER J. CULVER, GOVERNOR PATTY JUDGE, LT. GOVERNOR DEPARTMENT OF EDUCATION JUDY A. JEFFREY, DIRECTOR

DATE: July 23, 2008

TO: Iowa Administrators

FROM: Kevin Fangman, Administrator

Division of PK-12 Education

SUBJECT: Guidance on House File 2679

House File 2679 made some changes to the existing Student Achievement and Teacher Quality program. The purpose of this memo is to provide updated information about the requirements.

A. Definition of Teacher

(Amends Iowa Code Chapter 284.2) The definition of teacher was amended to read, "Teacher" means an individual who holds a practitioner's license issued under Chapter 272, or a statement of professional recognition issued under Chapter 272 who is employed in a nonadministrative position by a school district or area education agency pursuant to a contract issued by a board of directors under Section 279.13. A teacher may be employed in both an administrative and a nonadministrative position by a board of directors and shall be considered a part-time teacher for the portion of time that the teacher is employed in a nonadministrative position. This change in definition **will not** impact a majority of school districts.

B. Professional Development Funding

(Amends Iowa Code Chapter 284.6) The Legislature appropriated an additional \$8.5 million to school districts to support professional development related to the implementation of the Iowa Core Curriculum. The money shall be provided to school districts for...."professional development related to the infusion and implementation of the model core curriculum." The Iowa Department of Education (Department) will refer to the model core curriculum as the Iowa Core Curriculum in all communication. Districts will use these funds for professional development related to the implementation of the Iowa Core Curriculum. The Teacher Quality Committees (TQCs) should be informed of the district's plan for the implementation of the Iowa Core Curriculum. The TQC shall allocate the funds for professional development related to the implementation of the Iowa Core Curriculum and will distribute the funds according to the implementation plan for their district. Formal implementation plans are not required of districts until 2010. Districts should present initial steps to the TQC for implementation of the Iowa Core Curriculum in the district when they are ready to proceed. School districts are required to adopt an implementation plan for the Iowa Core Curriculum for grades 9-12 by July 1, 2010, and for grades K-8 by July 1, 2012. The district will be held responsible for the mandate of the Iowa Core Curriculum set in Iowa Code. How TQCs allocate Iowa Core Curriculum professional development funds will change from year to year as districts work toward meeting the mandate for grades 9-12 by 2012 and grades K-8 by 2014.

The Iowa Core Curriculum professional development money is in addition to the \$20 million allocated in 2007-2008 for local district and AEA professional development purposes. Districts are required to certify to the Department how funds received were used (more information on data collection to follow later in the summer). The Department plans to disburse funds in one payment on or about October 15. The anticipated amount to be distributed to each district will be posted on the Department's website in mid to late August. Districts will receive one allocation from the Department with a line item for Iowa Core Curriculum professional development and one for teacher quality professional development.

Question 1: What is the role of the TQC in determining the distribution and use of the professional development funds for the Iowa Core Curriculum?

The TQC should be informed of the district's implementation plan for the Iowa Core Curriculum. The TQC will allocate these funds to support the district's implementation plan. The implementation of the Iowa Core Curriculum is a mandate that must be implemented in grades 9-12 by 2012 and grades K-8 by 2014. Implementation plans must be in place by 2010 and 2012. The school district is held accountable by the Department for implementation of the Iowa Core Curriculum. Thus, districts will have to assess their needs and the TQC will need to distribute the funds to accomplish the necessary work to comply with the law.

Question 2: How can the professional development funds devoted to the implementation of the Iowa Core Curriculum be allocated?

Local district personnel will engage in processes to infuse and implement the Iowa Core Curriculum into the district's curriculum, instruction, and assessment practices. These processes will include:

- Aligning the district's standards, benchmarks, and curriculum to the Iowa Core Curriculum and ensuring that the local curriculum has the rigor and relevance needed by students;
- Identifying and communicating to teachers the content considered essential for all students;
- Engaging in a process to review instructional practices to check for consistent and accurate implementation of the essential concepts and skills; and
- Identifying professional development to support improvements in instruction and formative assessment in literacy, math, science, social studies, and 21st century skills.

AEAs will be providing a lot of information to districts as the training and materials to support districts in the implementation of the Iowa Core Curriculum is finalized. The training in the fall of 2008 will focus on building an understanding of the implementation process for the Iowa Core Curriculum for school leaders (see question 6). If districts are unsure how to proceed with the implementation of the Iowa Core Curriculum, they will want to wait until after this training is over to make their initial district plans.

Question 3: Are there expenditures that should not be allowed as part of the Iowa Core Curriculum work?

Iowa Core Curriculum professional development funds may not be used to pay teachers for work that occurs within the contracted school day.

Iowa Core Curriculum funds may not be used to pay for materials for students, such as textbooks and assessments. The funds may not be used to pay for technology such as computers, white boards, and projectors. The intent of these funds is to advance professional growth of teachers. Other sources of funding should be used to buy student supplies and equipment.

Question 4: What happens to our district's allotment of the professional development funds for the Iowa Core Curriculum if our district doesn't begin the content alignment and analysis of instructional practices related to the Iowa Core Curriculum until after the end of this fiscal year (June 30, 2009)?

Funds may be carried over to the next school year.

Question 5: Does our district have to redo our district and building-level professional development plans?

The professional development plans do not have to be revised to describe the work being conducted in content alignment and review of instructional practices. These stages in the Iowa Core Curriculum provide important data for planning for professional development (Iowa Professional Development Model - data collection and analysis and goal setting). Once the district determines what content and pedagogy needs to be studied to improve teaching practices, the district and attendance center plans should be revised to add or adjust the goals. The individual teacher development plans may be revised as needed to refine the individual teacher goals to reflect the new learning that is needed to respond to the challenges of implementing improved instructional practices. If a district has well-defined goals to improve instruction and has important professional development already planned for the 2008-2009 school year, the Iowa Core Curriculum work should not immediately disrupt this professional development priority and the learning opportunities should continue as planned. Later as core content work advances, adjustments to professional development priorities would be appropriate.

Question 6: Should districts be ready to start implementing the Iowa Core Curriculum in the fall of 2008?

No. Some districts that have engaged in the Iowa Core Curriculum the past two years may be ready to start some of the work. Most districts probably won't want to begin until after their administrators go through Iowa Core Curriculum leadership training that all AEAs will be delivering the fall of 2008 for district leaders.

C. Whole Grade Sharing

(Amends Iowa Code 282.10, subsection 4) When districts are negotiating their whole grade sharing agreements, their boards..... "shall negotiate as part of the new or existing agreement the disposition of teacher quality funding provided under chapter 284." This means districts must include what percentage of teacher quality funds each district will pay to the identified teachers for salaries and professional development in whole grade sharing agreements. School districts will need to amend their whole grade sharing agreements for the 2008-2009 school year so this can be determined for the appropriate teachers.

D. Teacher Compensation

(Amends Iowa Code 284.4) Regular compensation is now defined as...." base salary plus any salary provided under Chapter 294A." In the event a district and the bargaining unit cannot reach agreement on salary distributions related to new appropriations by September 15, then any teacher receiving a salary supplement to reach a minimum salary threshold cannot be included in the even distribution of compensation dollars for the remainder of the staff. This means that any teacher who receives money to bring their salary up to the minimum salary requirement for beginning or career teacher defined in Iowa Code Chapter 281 is not eligible for additional teacher quality money if the district and local bargaining unit cannot reach an agreement on how new salary money will be distributed by September 15. Districts are also required to distribute teacher compensation dollars evenly throughout the year beginning with the October 2008 payroll.

E. Minimum Teacher Salaries

(Amends Iowa Code Chapter 284.7, subsection 1, paragraph a, subparagraph 2) House File 2679 increased the minimum teacher salaries to the following:

a. Beginning teacher \$28,000 b. Career teacher \$30,000

There are no longer two levels of minimum salaries for career teachers. Any teacher who obtains a standard license must be paid at the \$30,000 minimum for career teachers.

F. National Board Certification

(Amends Iowa Code 284.13, subsection 1, paragraph a, Code Supplement 2007) The state-funded annual award and registration fee reimbursement incentives will no longer be available for teachers who applied for National Board Certification after December 31, 2007. Teachers who hold National Board Certification and are receiving an annual award will continue to receive their annual award. Teachers who registered to go through the National Board Certification process by December 31, 2007, will be eligible for a \$2,500 yearly stipend if they receive the certification within-the timelines and policies established by the National Board for Professional Teaching Standards (NBPTS).

Question 7: Is there any financial support available for National Board Certification?

Yes. The Department will utilize NBPTS Candidate Subsidy funds to support candidates at 50 percent (\$1,250) of the National Board Certification fee. The funds will be prorated if the number of applicants exceeds the available funding. Candidates are responsible for submitting the initial \$500 application fee plus the \$65 processing fee and any remaining unsubsidized portion of the fee by the NBPTS application deadline. Subsidy funds cannot be allocated to a candidate who has previously utilized subsidy funding. Candidates must meet the NBPTS and the Department's eligibility criteria. For additional information go to https://www.iowa.gov/educate/content/view/282/1193/

G. Teacher Evaluation

(Amends Iowa Code 284.8, subsection) The requirements for teacher evaluation have been changed to....."A school district shall review a teacher's performance at least once every three years for purposes of assisting teachers in making continuous improvement, documenting continued competence in the Iowa teaching standards, identifying teachers in need of improvement, or to determine whether the teacher's practice meets school district expectations for career advancement in accordance with Section 284.7. The review shall include, at a minimum, classroom observation of the teacher, the teacher's progress, and implementation of the teacher's individual professional development plan, subject to the level of resources provided to implement the plan and shall include supporting documentation from parents, students and other teachers.

The requirement for supporting documentation from another administrator has been eliminated. Performance reviews will still need to include documentation from parents, students, and other teachers. Resources to support a teacher's individual professional development plan means that in-kind and/or monetary support can be offered to support plans. There may be various in-kind supports that a district can offer to support individual professional development plans. Resources can include technical assistance provided by another teacher, curriculum director, or AEA consultant to just name a few. When the individual professional development plan is developed collaboratively with the evaluator and the teacher, and there is agreement that outside financial resources are needed to achieve the goal, then the teacher should not be held accountable for achieving the goal if the resources were not provided.

H. Market Factor Incentive (previously known as Market Factor Pay)

Iowa Code Chapter 284.11 has been repealed and Market Factor Pay and Incentives have been eliminated effective for the 2008-2009 school year. Funds from 2007-2008 can be carried forward and distributed according to the requirements outlined in Iowa Code and Administrative Rules.

Question 8: The legislature is no longer funding the Market Factor Incentive portion of teacher quality. Does that mean that the district can use any remaining Market Factor amounts for any general fund purpose?

No. Categorical funding continues to be used only for the allowable uses for which it was appropriated and allocated until all of the categorical funding has been expended by the district.

Question 9: Market Factor was allocated to districts in two years, 2006-2007 and 2007-2008, and each of those years had different purposes. May the district use remaining funds from the first year's allocation for the purposes of the second year's allocation?

No. Iowa Code did not include a provision to change the uses of the original allocation. Each year will be accounted for separately within the general fund using project codes and will be expended for the purposes allowed for that year's allocation.

Question 10: Is the district still required to report to the Department how it used Market Factor funding?

Yes. Iowa Code requires the district to certify how the district allocated both the 2006-2007 and 2007-2008 funding. The district will certify the uses of the Market Factor funding on a timely-filed Certified Annual Report by using the proper project code in its revenues, expenditures, and reserved fund balances, as appropriate. In addition, Iowa Code requires that districts separately budget (local line item budget) for revenues and expenditures related to the 2008 funding.

Question 11: What should a district do if it used its Market Factor funding for an inappropriate use?

The district will make an adjusting journal entry to its general fund balance to increase its reserved fund balance for Market Factor, 2006-2007 or 2007-2008 as appropriate, and to decrease its unreserved fund balance.

2006-2007 Funding: Market Factor Pay

Question 12: What are the allowable uses of the 2006-2007 Market Factor Pay allocation?

The 2006-2007 Market Factor allocation is used exclusively for additional classroom teacher salaries and the employer's share of FICA and IPERS related to those additional salary amounts. The additional salary amounts shall supplement, but not supplant, (be paid in addition to) wages and salaries paid to teachers as a result of a collective bargaining agreement and as a result of funds appropriated for teacher salaries in Chapters 256D (Early Intervention), 284 (Teacher Quality) and 294A (Educational Excellence Phase I and II). The purposes for which the additional salaries can be paid are:

- Improvement of salaries due to geographic or locally determined wage differences;
- Recruitment and retention in hard-to-staff schools;
- Recruitment and retention in subject-area shortages; or
- Recruitment and retention to improve the racial or ethnic diversity of the local teaching staff.

Question 13: Who determines locally how the 2006-2007 Market Factor Pay funding will be used within the allowable uses in Code?

The school district has sole discretion to award 2006-2007 Market Factor Pay funding.

2007-2008 Funding: Market Factor Incentive

Question 14: What are the allowable uses of the 2007-2008 Market Factor Incentive allocation? The 2007-2008 Market Factor Incentive allocation is used for additional classroom teacher salaries and the employer's share of FICA and IPERS related to those additional salary amounts, costs of educational opportunities and educational support, moving expenses, housing expenses, and costs of preparing a teacher or educational support personnel in the district to attain a license or endorsement in a shortage area. The additional salary amounts shall supplement, but not supplant, (be paid in addition to) wages and salaries paid to teachers as a result of a collective bargaining agreement and as a result of funds appropriate for teacher salaries in Chapters 256D (Early Intervention), 284 (Teacher Quality) and 294A (Educational Excellence Phase I and II). The purposes for which the additional salaries can be paid are:

- Recruitment and retention in hard-to-staff schools;
- Recruitment and retention in subject-area shortages; or
- Recruitment and retention to improve the racial or ethnic diversity of the local teaching staff.

Question 15: Who is eligible for 2007-2008 Market Factor Incentive funding?

The 2008 Market Factor funding is limited to classroom teachers or educational support personnel working toward becoming classroom teachers.

Question 16: Who determines locally how the 2007-2008 Market Factor Incentive funding will be used within the allowable uses in Code?

The TQC makes recommendations to the school board and the certified bargaining representative regarding the expenditures of Market Factor Incentives, and the school board makes the final decision. Market Factor Incentive is now subject to negotiation and bargaining but only for that portion being used to pay for additional teacher salaries. **Expenses such as "educational opportunities and support, moving expenses, and housing expenses..." are <u>not</u> subject to negotiation.**

Question 17: Is there a time limit in which the district must expend any remaining balance? Any expenditure in the district's general fund that is appropriate to a categorical funding source should be coded to that categorical funding source first. The district should also use the allocation first that was received earliest by the district. The uses of Market Factor are specific enough that it may take several years before the district can expend the entire remaining balance on appropriate costs.

I. Clarification on the Iowa Teaching Standards and Alternate Criteria

Iowa Code, Chapter 83 was adopted by the State Board of Education in February 2008. These rules added alternate criteria for the Iowa Teaching Standards by which AEA staff who meet the new definition of teacher should be evaluated. **These alternate criteria are not to be used in the evaluation process for district staff who meet the criteria of teacher.** Nurses, guidance counselors, and other non-classroom teachers must be evaluated using the Iowa Teaching Standards and Criteria adopted in 2002. This corrects some earlier guidance that was given by the Department.

Questions? Contact Deb Hansen at deb.hansen@iowa.gov or 515-281-6131.